

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.B.S., as surviving daughter of deceased)
ANTHONY L. SMITH, and a minor, by)
And through her next friend CHRISTINA)
WILSON,)

Plaintiff,)

vs.)

Case No.: 4:12CV-00202 JCH

MAYOR FRANCIS SLAY, THOMAS)
IRWIN, BETTYE BATTLE-TURNER)
RICHARD GRAY, THE ST. LOUIS CITY)
BOARD OF POLICE COMMISSIONERS,)
And JASON STOCKLEY)

Defendant.)

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO THE JOINT
MOTION OF PLAINTIFF A.B.S. AND DEFENDANT'S MOTION FOR APPROVAL OF
SETTLEMENT, ENTRY OF JUDGMENT AND SANCTIONS**

COMES NOW Plaintiff Annie Smith, by and through her attorneys, The Legal Solution Group, LLC and move for an extension of time of 14 days up to and including December 28, 2018 within which to respond to the Plaintiff and Defendant's Joint Motion for Approval of Settlement, Entry of Judgment and Sanction (hereinafter, "Motion for Sanctions"). In support Plaintiff states as follows:

1. Plaintiff's counsel, Jermaine Wooten, filed his appearance on behalf of Annie Smith, the biological mother and heir of Anthony Smith, in the above referenced matter on May 8, 2018.
2. On December 6, 2018, Plaintiff A.B.S. and Defendants filed a motion for sanctions seeking to exclude any apportionment to Ms. Smith because she could not physically

- or emotionally sit through another round of mediation and litigation regarding the brutal death of her son.
3. Plaintiff emailed Mr. Albert Watkins and Erwin McGowan on December 14, 2018, at approximately 12:11 pm, no response was received. Plaintiff called Plaintiff A.B.S.'s counsel on December 14, 2018 and left a voicemail at approximately 1:14 pm. Plaintiff called Defendant's counsel, Erin McGowan, on December 14, 2018, at approximately 1:15 pm, and left a voicemail. Plaintiff called Defendant's Counsel, John Sauer, on December 14, 2018, at approximately 1:17 pm, and left a voicemail. No response was received.
 4. Due to intervening deadlines and the demands of his caseload, counsel for Plaintiff requires additional time to confer with his client, issue appropriate Fed. R. Civ. Pr. 11 21-day safe harbor letters to the movants, and for this Court to grant outside counsel's motion for appearance on the above referenced matter.
 5. Plaintiff, therefore, respectfully request that the Court grant an extension of time of 14 days, up to and including December 28, 2018, within which for Plaintiff to respond properly.
 6. This motion is made in good faith and not for the purpose of undue delay.

WHEREFORE, for all of the reason set forth above, therefore respectfully request that the Court grant an extension of time of 14 days, up to and including December 28, 2018 within which for Plaintiff to plead in response to the Plaintiff's and Defendants Joint Motion for Sanctions.

Respectfully submitted,

The Legal Solution Group, LLC

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CERTIFICATE OF SERVICE

I hereby certify that, December 14, 2018, the above Motion for Extension to respond was served on parties of record using the court's ECF filing system.

/s/ Jermaine Wooten